

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

285Q0288

## HOUSE TAXATION ENGROSSED NO. **SB 80** - 3/3/2009

Introduced by: Senators Knudson and Heidepriem and Representatives Faehn and Hunhoff  
(Bernie)

1 FOR AN ACT ENTITLED, An Act to revise the property tax levies for the general fund of a  
2 school district.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 10-12-42 be amended to read as follows:

5 10-12-42. For taxes payable in ~~2009~~ 2010 and each year thereafter, the levy for the general  
6 fund of a school district shall be as follows:

7 (1) The maximum tax levy shall be eight dollars and ~~seventy-eight~~ seventy-six cents per  
8 thousand dollars of taxable valuation subject to the limitations on agricultural  
9 property as provided in subdivision (2) of this section, owner-occupied property as  
10 provided for in subdivision (3) of this section, and nonagricultural acreage property  
11 as provided for in subdivision (4) of this section;

12 (2) The maximum tax levy on agricultural property for such school district shall be two  
13 dollars and ~~sixty-one~~ fifty-nine cents per thousand dollars of taxable valuation. If the  
14 district's levies are less than the maximum levies as stated in this section, the levies



shall maintain the same proportion to each other as represented in the mathematical relationship at the maximum levies;

(3) The maximum tax levy for an owner-occupied single-family dwelling as defined in § 10-13-40, for such school district may not exceed four dollars and ~~ten~~ eight cents per thousand dollars of taxable valuation. If the district's levies are less than the maximum levies as stated in this section, the levies shall maintain the same proportion to each other as represented in the mathematical relationship at the maximum levies; and

(4) The maximum tax levy on nonagricultural acreage property as defined in § 10-6-33.14, for such school district shall be three dollars and ~~sixty-one~~ fifty-nine cents per thousand dollars of taxable valuation. If the district's levies are less than the maximum levies as stated in this section, the levies shall maintain the same proportion to each other as represented in the mathematical relationship at the maximum levies.

All levies in this section shall be imposed on valuations where the median level of assessment represents eighty-five percent of market value as determined by the Department of Revenue and Regulation. These valuations shall be used for all school funding purposes. If the district has imposed an excess levy pursuant to § 10-12-43, the levies shall maintain the same proportion to each other as represented in the mathematical relationship at the maximum levies in this section. The school district may elect to tax at less than the maximum amounts set forth in this section.

Section 2. That section 21 of chapter 44 of the 2008 Session Laws be repealed.